

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

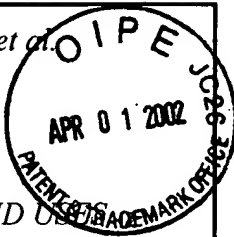
In re the application of: Mukamolova *et al.*

Serial No.: 09/445,289

Filed: May 11, 2000

For: *BACTERIAL PHEROMONES AND USES THEREFOR*

Attorney Docket No.: FHW-051US



Group Art Unit: 1645

Examiner: Devi, S.

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APR 03 2002  
TECH CENTER 1600/2900

Commissioner for Patents  
Box Sequence Listing  
Washington, D.C. 20231

**TRANSMITTAL LETTER FOR SUBSTITUTE DISKETTE CONTAINING  
SEQUENCE LISTING**

Dear Sir:

Enclosed is a substitute diskette that contains a computer readable form of the substitute Sequence Listing that was filed on January 4, 2002 for the above-referenced patent application. Applicants note that the substitute Sequence Listing as filed on January 4, 2002 complied with the requirements of 37 C.F.R. § 1.821. However, the diskette filed on January 4, 2002 was found unreadable. The material on substitute diskette enclosed herewith is identical in substance to the substitute Sequence Listing as filed on January 4, 2002, as required by 37 C.F.R. § 1.821(f). The computer readable form of the Sequence Listing contained on the enclosed diskette is understood to comply with the requirements of § 1.824(d). No new matter has been added.

**Certificate of First Class Mailing (37 C.F.R. §1.8(a))**

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence Listing, Washington, D.C. 20231 on:

March 21, 2002

Date

Hathaway Pease, Esq., Reg. No. 46,488

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Hathaway Pease, Esq.

Reg. No. 46,488 for

Peter C. Lauro, Esq.

Reg. No. 32,360

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/445,289

05/11/2000

GALINA V MUKAMOLOVA

FHW-051US

9774

959

7590

02/21/2002

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109



EXAMINER

DEVI, SARVAMANGALA J N

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 02/21/2002

**DOCKETED**

*March 21, 2002 Sequence Typing*

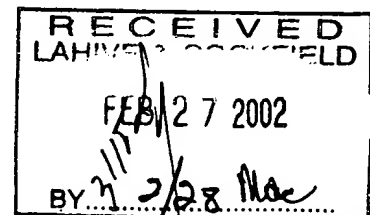
*Aug 21, 2002 ESP*

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Please find below and/or attached an Office communication concerning this application or proceeding

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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/445,289	05/11/00	Mokamolova et al.	FHW-051US



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EXAMINER	
ART UNIT	PAPER NUMBER
1645	12

DATE MAILED:

Please find below a communication from the **EXAMINER** in charge of this application

Commissioner of Patents

The communication filed 01/04/02 (paper no. 10) is not fully responsive to the Office communication mailed 09/25/01 (paper no. 9) for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules and/or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the above-mentioned reply appears to be a *bona fide* attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), Applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to S. Devi, Ph.D., whose telephone number is (703) 308-9347. A message may be left on the Examiner's voice mail system. The Examiner can normally be reached on Monday-Friday from 7:15 a.m. to 4:15 p.m. (Eastern Time) except one day each bi-week, which would be disclosed on the Examiner's voice mail system.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lynette Smith, can be reached at (703) 308-3909. The FAX phone number for group 1645 is (703)308-4242.

An inquiry of a general nature or relating to the status of the application should be directed to the group receptionist whose telephone number is (703)308-0196.

February 2002

S. DEVI, PH.D.  
PRIMARY EXAMINER

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

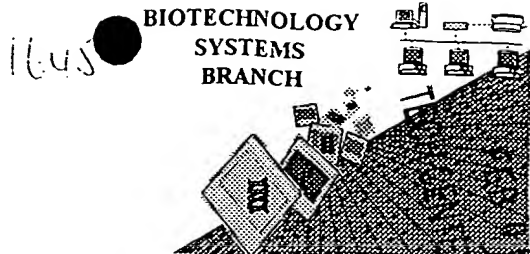
Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**



1600



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## CRF Problem Report

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/445,289A  
Filing Date: 5/11/2000  
Date Processed by STIC: 1/30/2002

STIC Contact: Mark Spencer, 703-308-4212

### Nature of Problem:

The CRF (was):

- ☒ (circle one) Damaged or Unreadable (for Unreadable, see attached)  
☐ Blank (no files on CRF) (see attached)  
☐ Empty file (filename present, but no bytes in file) (see attached)  
☐ Virus-infected. Virus name: \_\_\_\_\_ The STIC will not process the CRF.  
☐ Not saved in ASCII text  
☐ Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.  
☐ Did not contain a Sequence Listing. (see attached sample)  
☐ Other: \_\_\_\_\_

**PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.  
SEE BELOW FOR ADDRESS:**

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

09/445,289A

C:\WINDOWS>A:

A:\>DIR

Volume in drive A has no label

Directory of A:\

SEQLIS~1 TXT 66,684 10-24-01 1:52p seqlistcorrected.txt  
1 file(s) 66,684 bytes  
0 dir(s) 1,390,592 bytes free

A:\>TYPE SEQLIS~1.TXT|MORE

Read fault error reading drive A

Abort, Retry, Fail?F

Fail on INT 24 - SEQLIS~1.TXT

← onscreen message when STK PC tried  
to read submitted file

A:\>